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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD S. BURGESS,

11 Plaintiff,

12 v.

13 WASHINGTON STATE DEPARTMENT OF
14 CORRECTIONS,

15 Defendants.

Case No. C09-5300 BHS

ORDER GRANTING A
VOLUNTARY MOTION
TO DISMISS

17 This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§

18 636 (b) (1) (A) and 636 (b) (1) (B) and Local Magistrate Judge's Rules MJR 3 and MJR 4.

19 The matter is before the court on Plaintiff's motion to voluntarily dismiss the action (Dkt. # 9).

20 The defendants do not oppose dismissal (Dkt. # 10).

21 Accordingly the undersigned recommends that an order be entered pursuant to Fed. R.

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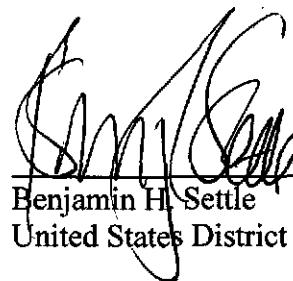
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25 ORDER - 1

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2 Civ. P. 41 (a)(1)(A). All other pending motions should be DENIED as moot.
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5 Dated this 6 day of July, 2009.
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Benjamin H. Settle
United States District Judge

Recommended for entry this
6th day of July, 2009.

J. Richard Creatura

United States Magistrate Judge